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8

Attorneys for Plaintiffs
9 **MARK KABINS**

10
11 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

* * * *

12 **MARK B. KABINS,**
13 **Plaintiff,**

14 **vs.**

15 **KATHLEEN SEBELIUS, in her**
16 **Official Capacity as the Secretary**
17 **of the United States Department of**
Health and Human Services.

18 **Defendant.**

CASE NO. 2:11-cv-01742-JCM -RJJ

MOTION FOR RELEASE OF
AUDIO RECORDING FROM
SEPTEMBER 25, 2012 HEARING
AND
PROPOSED ORDER

19
20 Comes now Plaintiff Mark Kabins, by and through his attorneys of record, and hereby
21 moves this court for the release of the audio recording from the September 25, 2012 hearing. Due
22 to the unique nature of the arguments made at the hearing, counsel requests access to the audio files
23 that were recorded during the hearing in order to prepare for other proceedings with the United States
24 Attorney for the District of Nevada, other representatives of the Department of Justice, and/or other

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26 //

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1 officials.

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3 **DATED** this 27th day of September 2012.

4 Respectfully submitted,

5 /s/ David Z. Chesnoff

6 **DAVID Z. CHESNOFF, ESQ.**

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15 Attorneys for Plaintiffs

16 Mark B. Kabins

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * *

MARK B. KABINS,

Plaintiff,

vs.

KATHLEEN SEBELIUS, in her
Official Capacity as the Secretary
of the United States Department of
Health and Human Services.

Defendant.

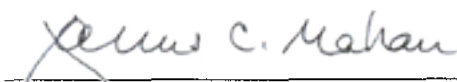
CASE NO. 2:11-cv-01742-JCM -RJJ

ORDER

This matter having come before the court on Plaintiff's motion, and good cause appearing, Plaintiff's motion for the release of the audio recording from the September 25, 2012 hearing is **GRANTED**.

IT IS HEREBY ORDERED that a copy of the audio recording for the September 25, 2012 hearing be provided to Plaintiff's counsel at Plaintiff's expense.

Dated November 28, 2012.



The Honorable James C. Mahan
United States District Court Judge

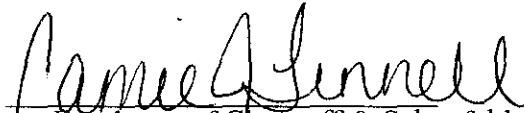
Submitted by:

/s/ David Chesnoff
David Z. Chesnoff

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of September, 2012, I served a true and correct copy of the foregoing **MOTION FOR RELEASE OF AUDIO RECORDING FROM SEPTEMBER 25, 2012 HEARING AND PROPOSED ORDER** via electronic filing:

Roger W. Wenthe
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An Employee of Chesnoff & Schonfeld